

Date June 11, 2008

Reply to Office Action dated March 14, 2008

### REMARKS

After entry of this Amendment, claims 1-18 are pending in the Application. With this amendment, claims 1, 4, 6-16, and 18 are amended. Reconsideration of the Application as amended is respectfully submitted.

### **Objections to the Specification**

In the Office Action dated March 14, 2008, the Examiner objects to the abstract because reference numerals not enclosed within parentheses are included. The Examiner further objects to the failure of the specification to indicate that the present application is the national stage an international application and the inclusion in the summary of an improper reference to claim 1. The Applicant amends the specification to overcome these objections.

### **Rejections of the Claims**

In the Office Action dated March 14, 2008, the Examiner rejects claims 1, 2, and 11-18 under 35 USC § 103(a) as obvious over German Patent No. 29808126 to Euromedico. The Examiner also rejects claims 1-5, 7-9, and 11-18 under 35 USC § 103(a) as being unpatentable over Euromedico in view of Great Britian Patent No. 2358350 to Hallam et al. The Examiner rejects claim 6 under 35 USC § 103(a) as being unpatentable over Euromedico in view of U.S. Patent No. 5,656,063 to Hsu and claim 10 under 35 USC § 103(a) as being unpatentable over Euromedico in view of U.S. Patent No. 2,841,242 to Hall.

The Applicant amends claim 1 to more distinctly claim the subject matter which the Applicant regards as his invention. Specifically, the Applicant amends claim 1 to recite a chamber defined by an earthed casing comprising at least one of a metal and a plastic material impregnated or coated with a metallic material. Release of ozone outside of an apparatus containing a corona discharge unit is highly undesirable due to the toxicity of even relatively low levels of ozone. One advantage of a chamber defined by an earthed casing comprising at least one of a metal and a plastic material impregnated or coated with a metallic material is that the chamber can prevent significant emissions of ozone to a space outside the chamber, even

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when no filter is placed on the outlet of the chamber or further downstream and no system (e.g., varying power to a fan or ion generator) is provided for moderating the operation of the corona ozone generator. (See paragraphs [0060] and [0061] of the present application.) As a result, a cartridge according to the present invention can produce substantial quantities of ozone within the chamber without emitting a significant quantity of ozone outside the chamber.

None of the cited references, either alone or in combination, teaches or suggests a chamber defined by an earthed casing comprising at least one of a metal and a plastic material impregnated or coated with a metallic material. Euromedico does not disclose the material from which its ionization chamber (5) is constructed. Indeed, Euromedico implies that the concentration of ozone exiting the ionization chamber (5) is at an unacceptably high level, as the reference states, "any of the respiratory poison ozone which is formed during the ionization process is captured [by an active carbon filter (13) downstream of the ionization chamber (5)] prior to the air flowing into the passenger compartment." (Second paragraph, page 7 of the English translation of Euromedico.) Since the reference teaches that the amount of ozone exiting the ionization chamber (5) is too high, Euromedico impliedly does not include a chamber defined by an earthed casing comprising at least one of a metal and a plastic material impregnated or coated with a metallic material.

Hallam also fails to teach or suggest a chamber defined by an earthed casing comprising at least one of a metal and a plastic material impregnated or coated with a metallic material. In contrast to the present invention, Hallam teaches a hand dryer for *emitting* ozone in an air stream. That is, in addition to lacking disclosure of a chamber as recited in the present claims, Hallam teaches away from the present invention by encouraging the emission of ozone.

Hsu discloses an ozone mixing chamber 53 in which air is mixed with ozone. Hsu does not disclose means for containing the ozone in the chamber 53. Instead, a corona discharge unit 54 output is optimally kept between 80 and 150 mdg/hour to ensure that the amount of ozone released is not noxious. In addition, Hsu utilizes a power switch 62 for controlling a blower and power to the corona

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discharge unit 54 to limit the amount of ozone output. For example, the power switch 62 may turn off after sixty minutes. The apparatus in Hsu requires these features to keep the concentration of ozone below a noxious level (see Hsu, col. 5, lines 45-59), as Hsu does not teach or suggest a chamber defined by an earthed casing comprising a metal or a plastic material impregnated or coated with a metallic material.

While Hall discloses an ozone generator including a ground casing 36, the casing 36 does not include an inlet for receiving air to be treated in a forced airflow supply system and an outlet. Instead, ozone is injected through nozzles 30 into a conduit 10 carrying flue gases. Further, Hall does not disclose that the casing 36 comprises a metal or plastics material impregnated or coated with a metallic material. Moreover, since the ozone generated in Hall reacts with sulfur dioxide to form sulfur trioxide, Hall does not confront the problem of containing ozone in an air filtering device. Therefore, Hall does not teach or suggest a chamber defined by an earthed casing comprising at least one of a metal and a plastic material impregnated or coated with a metallic coating.

Since none of the cited references teach or suggest a chamber defined by an earthed casing comprising at least one of a metal and a plastic material impregnated or coated with a metallic material as directly or indirectly recited in claims 1-18, claims 1-18 are allowable over the prior art of record.

Additionally, the Applicant amends claims 1 and 8 to delete ambiguities and claims 9, 11, 14, and 16 for antecedent basis purposes. The Applicant also amends claims 1, 4, 6-13, 15, and 18 to include proper idiomatic English.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully

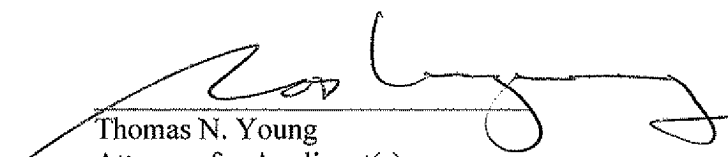
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submitted that this Amendment places this application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,



Thomas N. Young  
Attorney for Applicant(s)  
Registration No. 20985  
(248) 649-3333

3001 West Big Beaver Rd., Suite 624  
Troy, Michigan 48084-3107  
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TNY/EHM